IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 11798 of 2005

Between:

M. Rama Rao, S/o Siddanna,
R/o H.No. 11-3-416/38, Ambanagar, Parsigutta, Secunderabad.

..... PETITIONER

AND

1 Circle Inspector of Police, Siddipet (Town Circle), Medak District.
2 Superintendent of Police, Medak at Sangareddy,
Medak District.
3 Superintendent of Police, Karimnagar District.
4 State of Andhra Pradesh. rep. by its Principal Secretary,
Department of Home, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or writ, more particularly one in the nature of writ of habeas corpus declaring that the action of the respondents in detaining Hanmanthugari Mallesham @ John S/o Ahasiah, aged 30 years, caste: Golla (Yadav), r/o Mucherla, Gambhirraopet (M), Karimnagar District, from 18-5-2005 without producing him before any Court of law is illegal and unconstitutional, and further directing the respondents to forthwith produce him in this Hon'ble Court and set him free, and pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.K.BALAGOPAL

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court at the stage of admission made the following :

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ)

It is alleged that sixteen persons were arrested by the police including one Hanmanthugari Mallesham @ John. In the counter-affidavit, it is accepted that fifteen persons were arrested, but the alleged detenu was not arrested. Learned counsel for the petitioner earlier sought time to get instructions, but he submits that he has no instructions.

In this view of the matter, this writ petition does not survive and is accordingly dismissed. However, if the petitioner has any grievance still surviving with regard to the alleged arrest of the detenu, he is at liberty to move appropriate forum. No order as to costs.

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(Bilal Nazki, ACJ)

5th July, 2005

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(G.Chandraiah,J)

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To

1 Circle Inspector of Police, Siddipet (Town Circle), Medak District.
2 The Superintendent of Police, Medak at Sangareddy,
Medak District.
3 The Superintendent of Police, Karimnagar District.
4 The Principal Secretary, State of Andhra Pradesh, Department of Home,

Secretariat, Hyderabad.

5 The Director General of Police, A.P., Hyderabad.

6 The Director General of Prisons, Hyderabad.

7 The Deputy Inspector General of Police (Crimes), Hyderabad.

8 The Director of Prosecutions, Hyderabad.

9 2 CCs to the Advocate General, High Court Buildings, A.P.,

Hyderabad.

10 Two C.D copies.